

April 4, 1990

LB 1141
LR 239

nine fourth graders from Auburn, Nebraska, some Webelo Scouts in our south balcony with their Scout Master. Would you folks please stand and be recognized. Thank you, we're happy to have you with us. Senator Withem, would you care to discuss the Conway amendment to the Warner amendment?

SENATOR WITHEM: Yes, I would. I, frankly, see no real problem with it. But, like Senator Conway, I'd like to hear Senator Warner's reaction. If he'd like some of my time to comment publicly on his thoughts on the Conway amendment, it would help enlighten me as far as this vote is concerned. Jerry, would you like to use some of my time to comment on the Conway amendment? Pardon me? I've just been kind of mumbling up here, waiting to get your attention, so you can comment on it. So,...

SPEAKER BARRETT: Senator Warner.

SENATOR WARNER: Thank you, Senator Withem. The question that I believe was asked was why they were...community colleges, in essence, were left out, and the issue is one that we've dealt with before on the previous amendment, you bring up the issue, at least, of which constitutional provision would prevail, whether this would prevail and become a state purpose, therefore outlawing a property tax for the community colleges. I simply don't know what the thinking was, at least, on LR 239 when it was introduced, but, in all probability, if we attempted to do that, that would be exactly what we're doing. But the other thing I would suggest, I'm hesitant to take all the time that...on this amendment, because I know there are other things people want to get to, but I again remind you that this proposal, as well as 239, can be addressed with a suspension of the rules on the 60th day. And rather than adopt this and then find that it couldn't...that it creates some real constitutional problem or issue, I'd rather have more chance to have that reviewed and then look at it Monday to see if it's fairly clear that it's not a problem. But, on the other hand, maybe I want to adopt it, that will give a lot more support, probably, to LR 239. (Laugh.) But I really think the wise thing to do would be to check that out, because I can tell you the reason it isn't there is because I believe that we could create a problem about the prohibition of any property tax for a state purpose. And this might create that issue, I just simply don't know.

SPEAKER BARRETT: Thank you. Senator Landis, would you care to discuss the amendment?